

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**NATIONWIDE AGRIBUSINESS
INSURANCE, an Iowa corporation, as
subrogee of Cooperative Producers, Inc., a
Nebraska Corporation;**

Plaintiff,

vs.

**THE GSI GROUP, LLC, a Delaware
corporation; and AGCO CORPORATION
OF DELAWARE, a Delaware corporation;**

Defendants.

8:20CV58

ORDER

This matter is before the Court on the Unopposed Motion for Leave to File Third-Party Complaint (Filing No. 44) filed by Defendants, the GSI Group, LLC and AGCO Corporation. Defendants request leave to file a third-party complaint against a nonparty, Todd & Sargent, Inc., for indemnification and contribution.

Rule 14 of the Federal Rules of Civil Procedure permits a defending party to “serve a summons and complaint on a nonparty who is or may be liable to it for all or part of the claim against it.” Fed. R. Civ. P. 14(a)(1). The Court’s leave to serve a third-party complaint is required if the third-party complaint is filed more than fourteen days after the defending party serves its original answer. *Id.* Defendants’ motion is timely under the Court’s case progression order. (Filing No. 36). After review of Defendants’ unopposed motion, brief, and proposed third-party complaint, the Court finds the motion should be granted. Accordingly,

IT IS ORDERED:

1. Defendants’ Unopposed Motion for Leave to File Third-Party Complaint (Filing No. 44) is granted. Defendants shall file the proposed Third-Party Complaint on or before **November 5, 2020**.
2. The parties shall jointly submit an amended case progression order to the undersigned magistrate judge within 14-days the third-party defendant files an answer to the third-party complaint.

Dated this 28th day of October, 2020.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge